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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,008	11/26/2001	William Mills	TI-32908 (1.102US)	5852
23494	7590	09/06/2005	EXAMINER	
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DALLAS, TX 75265			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/992,008	MILLS ET AL.	
	Examiner	Art Unit	
	Inder P. Mehra	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)          |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. <u>8/30/05</u> .                                     |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/22/02</u> .   | 6) <input type="checkbox"/> Other: _____.                                   |

### DETAILED ACTION

1. This office action is in response to application dated: 11/26/2001.

### EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kendal Sheets , Attorney, Regd No.47,077 on 8/30/05.

- Claim 21 (second occurrence) has been replaced by the following claim:

[[21.]] 22. (New) The method of claim [[19,]] 21, wherein each of said communication channels receives an output of said aggregate input signals.

- Claim 22 has been replaced by the following claim:

[[22.]] 23. (New) The method of claim [[19,]] 21, wherein, if one of said set of local input signals has the highest power levels, applying a gain said one of said local signals.

- Claim 23 has been replaced by the following claim:

[[23.]] 24. (New) The method of claim [[19,]] 21, further comprising:

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modifying a gain for said set of signals within each node and muting said local input signals not within said set of input signals.

- Claim 25 (second occurrence) has been replaced by the following claim:

25. (New). The method of claim [[19,]] 21, further comprising:  
providing a combiner in each node for summing each set of signals; and  
transmitting said summed signal and said highest power levels for each set of signals to said nodes connected to said system communication bus other than a node originating said summed signal.

The application has been amended as follows:

### ***Claim Objections***

3. Claims 2-12, 14-15 and 20 are objected to because of the following informalities:
  - a. Claims 2-4 recite “a distributed conferencing system” in line 1. This should be “the distributed conferencing system”, because these are preceded by the same limitation in claim 1. Further, claims 5-12, 14-15 and 20 recite “the conferencing system”. These should be “the distributed conferencing system” to maintain antecedent basis.
  - b. Claim 2 recites “said signal”. It lacks sufficient antecedent basis, because it is preceded by “significant signals” or “non-significant signals” or local participant input signals” etc.

Appropriate correction is required.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claims 1 and 21 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 2-12, 14-15 and 20-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the power level" in line 3. There is no antecedent basis for this limitation in the claim.

Claim 4 recites "summing means" in line 7. It is not clear as to how is connected to other components of the system.

Claim 4 recites the following limitations, which have no antecedent basis:

- "said number of local participant input signals" in lines 4, 7 and 9;
- "said power measuring means", in line 5;
- "said number of participant input signals". Similar problem exists in claims 6 (line 4),
- "said gain control" in line 8. Similar problem exists in claim 12 line 3.

Claim 6 recites the limitation "said number of local participant input signals" in line 3. There is no antecedent basis for this limitation in the claim. Similar problem exists in claim 12 line 4, claim 20 lines 6, .

Claim 7 recites the limitation "the other nodes" in line 3-4. There is no antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the relative power levels" in line 2. There is no antecedent basis for this limitation in the claim.

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Claim 10 recites the limitation "said significant participant input signal" in line 3. There is no antecedent basis for this limitation in the claim. Similar problem exists in claim 11 line 3.

Claim 11 recites the limitation "said participant signals" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "said plurality of local participant input signals" in lines 2-3. There is no antecedent basis for this limitation in the claim.

Claim 20 recites the following limitations . There is no antecedent basis for this limitation in the claim.

- " said number of remote participant input signals" in line 4.
- " said combined number of participant input signals" in lines 7, 11 and 12..

Claim 21 recites following limitations,:

- "said remote node" in line 11. There is insufficient antecedent basis for this limitation in the claim. Similar problem exists in lines 13, 18 and 20.
- "said local communication channels" in lines 8-9, . There is insufficient antecedent basis for this limitation in the claim. Similar problem exists in lines 21, and 24 .
- "said power level measurements" in lines 8-9, . There is insufficient antecedent basis for this limitation in the claim.

Claim 22 line recites the limitation "said aggregate input signals" in line 2. There is no antecedent basis for this limitation in the claim.

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Claim 24 recites the limitation "said set of signals" in lines 2 and 3. There is no antecedent basis for this limitation in the claim.

Claim 25 recites the limitation "said summed signal" in lines 3 and 5. There is no antecedent basis for this limitation in the claim.

#### ***Oath/Declaration***

7. Provisional application priority claimed should be under 119 (e) instead of 120, as shown in the Oath/Declaration.

Appropriate action is required.

#### ***Allowable Subject Matter***

8. Claims 1-25 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### **REASONS FOR ALLOWANCE**

9. The following is an examiner's statement of reasons for allowance:

As recited by claim1,

“communication means, connected with said processing means and said system communication bus, for communicating said measured characteristic of each of said significant signals, to said plurality of conferencing nodes and for receiving said measured characteristic of each of said significant signals of remote



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participant input signals from said plurality of conferencing nodes;

comparison means for comparing said measured characteristic of each of said significant signals of said local participant input signals and said remote participant input signals ».

determining, in said remote node, a set of remote input signals received in said remote communication channels having highest power levels in said remote node and transmitting said set of remote input signals and said highest power level measurements of said set of remote input signals to said local node;

As recited by claim 21

comparing, in each node, said power level measurements for all of said local and said remote sets of input signals;

determining, in said local and said remote nodes, an aggregate sum of said remote input signals having highest power levels from said comparing all of said local and remote sets of input signals; and

transmitting said aggregate sum to each of said local communication channels as an output,

wherein, if one of said local input signals includes said highest power levels, then transmitting said one of said local input signals to said local communication channels as an output”.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Prior Art of Record***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Allen et al** (US Patent No. 5,495,522) discloses an improved system for connecting and processing a plurality of phone user in a teleconference on a common digital bus.

***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Inder Pal Mehra*  
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9/1/05



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PRIMARY EXAMINER